
Central Valley Regional Water Quality Control Board

13 September 2013

Steve Ehlers
E² Family Winery
P.O. Box 2239
Lodi, CA 95241

CERTIFIED MAIL
7012 0470 0000 9903 6903

NOTICE OF APPLICABILITY, CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD PROCESSORS AND SMALL WINERIES WITHIN THE CENTRAL VALLEY REGION, ORDER R5-2009-0097-0090, HERMAN EHLERS AND SONS dba E² FAMILY WINERY, SAN JOAQUIN COUNTY

Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff reviewed the 13 July 2013 Report of Waste Discharge (RWD) submitted by E² Family Winery to apply for regulatory coverage under the *Conditional Waiver of Waste Discharge Requirements for Small Food Processors and Small Wineries within the Central Valley Region, Order R5-2009-0097* (Order). The Order, which was adopted by the Central Valley Water Board on 8 October 2009, is a conditional waiver of waste discharge requirements for small wineries and small food processors with limited or no discharge to land.

The facility and property are owned and operated by Herman Ehlers & Sons, dba E² Family Winery (“Discharger”). Based on the information submitted, the discharge as described in the RWD satisfies the general and specific conditions of Resolution No. R5-2009-0097 for the projected volume of wastewater to be generated annually. You are hereby assigned Order R5-2009-0097-0090. A copy of the Order is enclosed and it is also available on the internet at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#waivers

Please familiarize yourself with the contents of the Order including the discharge and monitoring requirements. The facility must be operated in accordance with the requirements contained in the Order and with the information submitted in the RWD. Failure to comply with the monitoring and reporting requirements of the Order may result in enforcement action pursuant to California Water Code, Section 13261, which can include imposition of civil liability (a fine).

DISCHARGE DESCRIPTION

E² Family Winery is located at 9009 West Highway 12, San Joaquin County. The winery is located on approximately 362 acres (APN 025-08-002 and 025-08-003), which is used for seasonal crops, vineyards, and wine production. Structures at the property include a small office, a bottling and cased goods warehouse, a repair shop, and three aboveground silos. One of the silos is equipped with ten aboveground 12,000 gallon wine storage tanks, while the other two silos are used for crop storage.

The Discharger generates approximately 7,000 gallons of winery process wastewater annually. Wastewater generated during crushing, bottling, and equipment cleaning is collected on a concrete-paved crush pad that drains into a concrete sump. Wastewater is then conveyed from the sump to a 7,500 gallon aboveground storage tank for solid settling before the water is discharged to 100 acres of cropped land used as a Land Application Area (LAA). The 100-acre LAA is split between 35 acres of vineyards and 65 acres of seasonally cropped land, although additional cropped acreage is also available. The perimeter of the LAA is surrounded with tailwater ditches to capture and prevent off-site surface water discharge.

Wastewater is blended with water from an on-site agricultural well and then applied to the LAA through furrow irrigation. Approximately 50 gallons of evaporative cooling water is generated annually and is also mixed with irrigation water and applied to the LAA. The Discharger uses a portable steam cleaner to clean and sanitize equipment, which eliminates the use of chemicals.

Approximately 300 pounds of pomace (stems, seeds, and skins) are generated from grape crushing activities conducted between September and November each year. Crushed solids (pomace) and skimmed solids recovered during fermentation (lees) are separated and stored on-site on a bermed section of an abandoned unpaved air strip until the material is tilled into shallow soil of the vineyard and other on-site crop areas.

All storm water is retained on-site and discharged to a separate field than the 100-acre LAA. Because the crush pad is not covered and crushing does not occur during inclement weather, storm water generated at the winery does not come in contact with raw materials, nor is it collected with winery process wastewater.

Although an on-site well is used for agricultural irrigation, drinking water is supplied from a local vendor and stored in a 250-gallon storage tank. Domestic wastewater is discharged to an on-site septic system permitted through the San Joaquin County Environmental Health Department.

MONITORING AND REPORTING

The Order includes specific monitoring and reporting requirements that you must comply with, including routine monitoring and reporting to the Central Valley Water Board. Please review the Monitoring and Reporting Program closely and establish the appropriate record keeping system so that you are able to complete the required Annual Monitoring Report form, contained in the Order.

By February 1 of each year, the Annual Monitoring Report form must be submitted to our office, even if there is no discharge during the reporting year.

GENERAL INFORMATION AND REQUIREMENTS

The Order includes specific and general conditions required for your operation. In addition, you must maintain control over the discharge and operate in accordance with the information provided in your application and this Notice of Applicability.

Please review this Notice of Applicability carefully to ensure that it completely and accurately reflects the facility name, location, and discharge. Failure to comply with the requirements of the Order may result in enforcement action as authorized by provisions of the California Water Code, which could include civil liability. Discharge of wastes not described in the RWD is prohibited. If the method of waste disposal changes from that described in your application, you must submit an updated RWD to describe the new operation.

Please note that the Order will expire on **8 October 2014**, after which you must do one of the following:

1. Submit a new application with a filing fee to obtain coverage under a subsequently adopted waiver; or
2. Submit an application with a filing fee to apply for individual or general Waste Discharge Requirements, or
3. Cease the discharge.

If you have any questions regarding submitting an updated RWD, or questions about your permit obligations, please contact Mr. Scott Armstrong of the Discharge to Land Permitting Unit, at (916) 464-4616 or sarmstrong@waterboards.ca.gov.

All compliance and enforcement questions should be directed to Mr. Brendan Kenny of the Compliance and Enforcement Section, at (916) 464-4635 or bkenny@waterboards.ca.gov. All monitoring reports must be submitted to Mr. Kenny by the compliance due date.

Original signed by Andrew Altevogt for:

PAMELA C. CREEDON
Executive Officer

Enclosure: Conditional Waiver of WDRs, Order No. R5-2009-0097

cc: Mr. Rodney Estrada, San Joaquin County Environmental Health Dept., Stockton